

1-1 By: Giddings (Senate Sponsor - Fraser) H.B. No. 3152
1-2 (In the Senate - Received from the House May 8, 2013;
1-3 May 9, 2013, read first time and referred to Committee on State
1-4 Affairs; May 15, 2013, reported favorably by the following vote:
1-5 Yeas 7, Nays 1; May 15, 2013, sent to printer.)

1-6 COMMITTEE VOTE

1-7	Yea	Nay	Absent	PNV
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13		X		
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the payment of and contracts with health care providers
1-20 by certain entities under contract with a certified workers'
1-21 compensation network.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 1305.153, Insurance Code, is amended by
1-24 adding Subsections (f), (g), (h), (i), and (j) to read as follows:

1-25 (f) If, for the purposes of credentialing and contracting
1-26 with health care providers on behalf of the certified network, a
1-27 person is serving as both a management contractor under Section
1-28 1305.102 or a third party to which the network delegates a function
1-29 and as an agent of the health care provider, the contract between
1-30 the management contractor or third party and the health care
1-31 provider must specify:

1-32 (1) the certified network's contract rate for health
1-33 care services; and

1-34 (2) the amount of reimbursement the health care
1-35 provider will be paid after the health care provider agent's fee for
1-36 providing administrative services is applied.

1-37 (g) If a management contractor or third party to which the
1-38 network delegates a function is serving as an agent for health care
1-39 providers in the certified network, the management contractor or
1-40 third party must disclose that relationship in its contract with
1-41 the certified network.

1-42 (h) A contract described by Subsection (f), or a contract
1-43 between a management contractor or third party to which the network
1-44 delegates a function and a certified network, must comply with the
1-45 requirements of this chapter.

1-46 (i) If a contract described by Subsection (f) complies with
1-47 the requirements of this chapter, the health care provider shall be
1-48 reimbursed in accordance with the terms of the contract. If a
1-49 contract described by Subsection (f) does not comply with the
1-50 requirements of this chapter, the health care provider shall be
1-51 reimbursed in accordance with the certified network's contracted
1-52 rate.

1-53 (j) A certified network, management contractor, or third
1-54 party to which the network delegates a function may not require a
1-55 health care provider, as a condition for contracting with the
1-56 certified network, to utilize as a health care provider agent the
1-57 management contractor or the third party.

1-58 SECTION 2. With respect to a contract between a health care
1-59 provider and a network, management contractor, or third party to
1-60 which the network delegates a function, the change in law made by
1-61 this Act applies only to a contract entered into or renewed on or

2-1 after the effective date of this Act. A contract entered into or
2-2 renewed before the effective date of this Act is governed by the law
2-3 in effect immediately before the effective date of this Act, and
2-4 that law is continued in effect for that purpose.

2-5 SECTION 3. With respect to a contract between a certified
2-6 network and a management contractor or third party to which the
2-7 network delegates a function, the change in law made by this Act
2-8 applies to a contract that is in effect on the effective date of
2-9 this Act or entered into on or after that date.

2-10 SECTION 4. This Act takes effect September 1, 2013.

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